

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY S D.C.
05 JUN -3 PM 3:47

ROBERT R. DI TROIA
CLERK OF U.S. DIST. CT
W.D. OF TN.-JACKSON

ERNEST E. HOGAN)

Plaintiff,)

v)

Case No.: 1-05-1029-T/An

WEAKLEY COUNTY DETENTION CENTER)

JAIL ADMINISTRATOR, JIM PHELPS,)

JAILER JEFF VINSON AND JAILER)

CHUCK STEGAL)

Defendants.)

This document entered on the docket sheet in compliance
with Rule 58 and/or 79 (a) FRCP on _____

PROPOSED RULE 16(b) SCHEDULING ORDER

Pursuant to the Scheduling conference set by written notice, the following dates are established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)):

June 20, 2005

JOINING PARTIES:

For Plaintiff: June 24, 2005

For Defendant: August 12, 2005

AMENDING PLEADINGS

For Plaintiff: June 17, 2005

For Defendant: August 12, 2005

COMPLETING ALL DISCOVERY: December 20, 2005

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES and REQUESTS
FOR ADMISSIONS:**

September 20, 2005

(b) **EXPERT DISCLOSURE (RULE 26(a)(2))** with Rule 58 and/or 79 (a) FRCP on 06/06/05

This document entered on the docket sheet in compliance

- (i) Plaintiff's Experts: September 20, 2005
- (ii) Defendant's Experts: November 11, 2005
- (iii) Supplementation under Rule 26(e)(2): November 30, 2005

(c) **DEPOSITIONS OF EXPERTS:** December 20, 2005

FILING DISPOSITIVE MOTIONS: January 12, 2006

FINAL LIST OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) for Plaintiff: February 26, 2006
- (b) for Defendant: March 13, 2006

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26 (a)(3).

The trial of this matter is expected to last 2 days and is **SET** for **TRIAL** on **Wednesday, April 12, 2006** at 9:30 A.M. A joint pre-trial order is due on **Friday, March 31, 2006**. In the event the parties are unable to agree on a joint pre-trial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

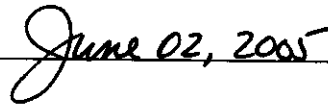
The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

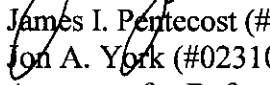
IT IS SO ORDERED.


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: 

PENTECOST, GLENN & RUDD, PLLC

By:


James I. Pentecost (#011640)
Jon A. York (#023106)
Attorneys for Defendants
106 Stonebridge Blvd
Jackson, TN 38305
(731) 668-5995

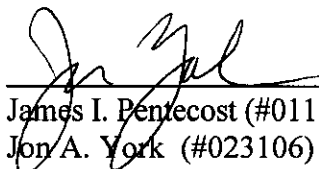
CERTIFICATE OF SERVICE

This is to certify that I have served a copy of this pleading or paper personally or by mail upon each attorney or firm of attorneys appearing of record for each adverse party or each *pro se* party on or before the filing date thereof.

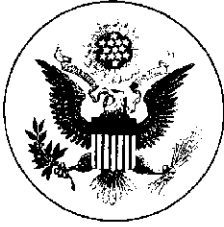
DATED: This the 30 day of May, 2005.

PENTECOST, GLENN & RUDD, PLLC

By:


James I. Pentecost (#011640)
Jon A. York (#023106)
Attorneys for Defendants

COPY SENT TO:
Ernest E. Hogan
1480 Jewell Store Road
Dresden, TN 38225



Notice of Distribution

This notice confirms a copy of the document docketed as number 7 in case 1:05-CV-01029 was distributed by fax, mail, or direct printing on June 6, 2005 to the parties listed.

Ernest E. Hogan
1480 Jewell Store Rd.
Dresden, TN 38225

Pam Belew
CIRCUIT COURT CLERK
Weakley County Courthouse
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Honorable James Todd
US DISTRICT COURT